

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

Monica Jordan)	
Louis Jordan)	
Plaintiff(s))	
)	
v.)	Civil Action Number: H02CV1465
)	
Washington Mutual Bank)	
)	
Defendant)	

**MEMORANDUM IN SUPPORT OF DEFENDANT’S MOTION FOR SUMMARY
JUDGMENT, OR, ALTERNATIVELY, FOR PARTIAL SUMMARY JUDGMENT**

TABLE OF CONTENTS

I.	FACTUAL BACKGROUND	1
II.	STATEMENT OF THE CASE	4
III.	APPLICABLE STANDARDS FOR SUMMARY JUDGMENT	5
IV.	ARGUMENT	7
	A. Movant Is Entitled To Summary Judgment As To All Claims	7
	1. Plaintiffs Not Entitled to Relief Under The Fair Credit Reporting Act	7
	2. Plaintiffs Not Entitled to Relief Under Electronic Fund Transfer Act	12
	3. Plaintiffs’ State Law Actions Are Preempted By Fair Credit Reporting Act	15
	B. In Event Court Denies Summary Judgment As to Some Or All Aspects of Counts III through VII, Movant Entitled To Partial Summary Judgment As To Certain Aspects of All Counts of Complaint	19
	1. Movant Entitled To Partial Summary Judgment Because Plaintiffs Cannot Demonstrate Any Connection Between Defendant’s Alleged Acts and Omissions and	

	Plaintiffs' Alleged Economic Loss	19
2.	Plaintiffs' Damages For Lost Profits Are Too Speculative To Be Legally Cognizable	24
V.	CONCLUSION	30